

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Case No. CV416-044
)	
BELINDA THOMAS,)	
)	
Defendant.)	

ORDER

Plaintiff filed a unilateral Rule 26(f) report, stating that defendant refused to cooperate in the development and submission of a proposed discovery plan.

Rule 26(f) places on the “attorneys of record and all *unrepresented parties* that have appeared in the case” the joint responsibility of arranging the conference and “submitting . . . a written report outlining” their proposed discovery plan. Fed. R. Civ. P. 26(f)(emphasis added). Unilateral reports from one party are not allowed.

Unless the defendant is in state or federal custody,¹ she is required to participate in the preparation and submission of the written report outlining a proposed discovery plan. Her refusal to do so may subject her to sanctions. The parties who are prepared to conduct the Rule 26(f) conference and file the report may advise the Court of their inability to do so because of the noncooperating party, but they may not file a unilateral Rule 26(f) report.

Defendant is directed to show cause within 14 days from the entry of this Order why she should not be sanctioned for failure to participate in the preparation and submission of a proposed discovery plan. The failure to do so may result in the striking of her answer.

SO ORDERED this 25th day of May, 2016.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹Pro se prisoner actions are not subject to the Rule 26(f) conference requirement. See Fed. R. Civ. P. 26(f) (exempting cases not subject to the initial disclosure requirements, including pro se prisoner actions per Rule 26(a)(1)(E)(iii)).